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# Message Text

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ACTION EUR-12

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INFO AMEMBASSY BELGRADE
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AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBSSY WARSAW
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USMISSION NATO

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E.O.11652: N/A
TAGS: PFOR, PINT, GE
SUBJECT: GDR EXFILTRATION TRIAL

REF: BERLIN 5113

1. SUMMARY: THE GDR HAS USED THE PUBLIC TRIAL OF
AN FRG NATIONAL RAINER SCHUBERT, ACCUSED OF EXFILTRATING
EAST GERMAN CITIZENS FROM THE GDR , TO (A) LINK CRIMINAL
ELEMENTS TO GROUPS ORGANIZED FOR THE PURPOSE OF
FACILITATING ESCAPTES FROM THE GDR; (B) EMPHASIZE ONCE
AGAIN THE SERIOUSNESS WITH WHICH THE THE GDR VIEWS THE LOSS
OF DOCTORS AND TRAINED PROFESSIONALS; AND(C) CHARGE
THAT ILLEGAL EXFILTRATION ORGAIIZATIONS ENJOY THE
SUPPORT OF " REACTIONARY FORCES" IN THE FRG WHO SEEK TO
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"TORPEDO" FRG-GDR RELATIONS. END SUMMARY.

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2. IN A VERDICT HANDED DOWN ON JANUARY 26, AN EAST BERLIN
COURT HAS SENTENCED 29 YEAR OLD FRG NATIONAL RAINER SCHUBERT
TO A 15-YEAR PRISON TERM FOR " TRAFFIC IN HUMAN BEINGS",
SABOTAGE, ESPINAGE, ILLEGAL BORDER CROSSING, FALSIFICATION
OF DOCUMENTS, AND AGITATION, THE PROSECUTION HAS ASKED
FOR A LIFE SENTENCE AGAINST SCHUBERT, WHO WENT ON TRIAL
JANUARY 20 NEARLY A YEAR AFTER HIS ARREST IN THE GDR FOR
ACTIVITIES IN THE UNDERGROUND ORGANIZATION "ARAMCO"
BASED IN ZURICH WHIH SUPPOSEDLY BROUGH 96 EAST GERMANS,
INCLUDING 17 DOCTORS AND 19 OTHER " HIGHLY QUALIFIED"
PERSONS TO THE WEST ON FALSIFIED PASSPORTS SINCE 1972.
SCHUBERT WAS FURTHER ACCUSED OF PLANNING BOTH TO BOMB A
GDR GUARD INSTALLATION ALONG THE BERLIN WALL AND TO HIJACK
A GDR PATROL BOAT. IN ITS VERDICT,THE EAST BERLIN COURT
REFERRRED TO SCHUBERT'S " ANTI-HUMANISTIC ATTITUTDE",
HIS HATRED OF THE GDR, AND HIS " ENDLESS AVARICE" AS
THE GROUNDS FOR HIS MISDEEDS. ACCORDING TO THE VERDICT,
HE RECEIVED A REDUCED SENTENCE BECAUSE HE HAS COOPERATED
IN REVEALING THE FULL EXTENT OF HIS ACTIVITIES.

3. THE SCHUBERT CASE PRESENTED A PERFECT OPPORTUNITY
FOR THE GDR TO PORTRAY EXFILTRATION AS A CRIMINAL RATHER
THAN IDEALISTC ENDEAVOR, AND THUS OBSERVERS FROM THE FRG
REPRESENTATION IN EAST BERLIN WERE ALLOWED TO ATTEND THE TRIAL
ALONG WITH WESTERN JOURNALISTS, ADMITTED INTO AN
EAST BERLIN COURTROOM FOR THE FIRST TIME IN TWO YEARS. THE
PROSECUTION WENT INTO SCHUBERT'S PERSONAL BACKGROUND DURING
THE TRIAL IN ORDER TO CHARACTERIZE HIM AS A MISGUIDED
VICTIM OF THE CAPITALISTS SYSTEM WHO TURNED TO " ANTI-
COMMUNIST AGITATION" AS A RESULT OF PERSONAL FAILURES.
SCHUBER FLED FROM EAST BERLIN WITH HIS MOTHER IN 1956,
NEVER LEARNED A PROFESSION IN THE FRG, AND HAD A LONG
RECORD OF JUVENILE CRIME. ACCORDING TO THE GDR PROSECUTOR,
HE EVENTUALLY BECAME INVOLVED WITH UNDERGROUND EXFILTRATION
ORGANIZATIONS FOR THE MONEY AND CHARGED UP TO 25,000 MARKS
A HEAD TO GET PEOPLE OUT OF THE GDR. FOR HIS PART, SCHUBERT
ATTEMTPTED TO PORTRAY HIMSELF AS A MAN WHO ACTED OUT OF
MORAL CONVICTION TO HELP PEOPLE WHO SOUGHT TO LEAVE THE
GDR AND CITED IN COURT ARTICLE 16 OF THE UN CHARTER
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PROVIDING FOR THE RIGHT OF INDIVIDUALS TO LEAVE THEIR OWN
COUNTRY. HOWEVER, AS REPORTED IN FRG PRESS ACCOUNTS OF
THE TRIAL, SCHUBERT DID IN FACT APPEAR TO BE INVOLVED
FOR MERCENARY REASONS.

4. THE GDR HAS IN THE PAST BEEN PARTICULARLY SENSITIVE
TO THE LOSS OF DOCTORS FROM ITS SOCIALIZED MEDICAL SYSTEM.
AND THUS PALYED UP THIS ANGLE IN THE SCHUBERT CASE. THE

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VERDICT STATED THAT THE COURT ASSESSED PARTICULAR IMPORTANCE
TO SCHUBERT'S ATTEMPTS TO " SYSTEMATICALLY SABOTAGE"
PUBLIC HEALTH IN THE GDR. IT FURTHER NOTED THAT BECAUSE
OF THE " SUPERIORITY" OF HEALTH CARE IN THE GDR, THE GDR
HEALTH SYSTEM WAS A PARTICULAR TARGET OF " REACTINARY
FORCES IN THE FRG AND BERLIN(WEST)".

5. THROUGHOUT THE 5-DAY TRIAL, THE PROSECTUION ATTEMPTED TO
PROVE THAT SCHUBERT HAD OPERATED WITH HE "CONSENT AND
SUPPORT" OF FRG AND WEST BERLIN OFFICIALS AND CLAIMED
SPECIFICALLY THAT SCHUBERT HAD BEEN ASSISTED BY AN FRG
INTELLIGENCE AGENT IN WEST BERLIN AND BY AN OFFICIAL IN
THE FRG CONSULATE GENERAL IN ZURICH WHO PROVIDED HIM WITH
THE NUMBERS OF STOLEN FRG PASSPORTS AND EYELETS USED IN
RPODUCING FALSIFIED DOCUMENTS. THE GDR HAS NAMED BOTH
FRG OFFICIALS IN QUESTION AND BROUGHT FORWARD DOCUMENTATON
IN COURT TO SUPPORT ITS CHARGES. A JANUARY 22 NEUES
DEUTSCHLAND REPORT CLAIMED THAT TIES BETWEEN ARAMCO
AND CSU PARTY CHAIRMAN FRANZ JOSEF STRAUSS THROUGH A THIRD
PARTY HAD COME TO LIGHT DURING THE JAUARY 21 COURT
SESSION. IN ITS VERDICT, THE EAST BERIN COURT
STATED THAT SCHUBERT HAD ENJOYED THE SUPPORT OF FRG FORCES
OPPOSED TO DETENTE WWHO SOUGHT TO " TORPEDO" NEIGHBORLY
RELATIONS BETWEEN THE GDR AND FRG.

6. THE QUESTION REMAINS OPEN AS TO WHERE THE GDR OBTAINED
THE INFORMATION AND DOCUMENTATION NECESSARY TO ARREST AND
PROSECUTE SCHUBERT AND SEVERAL OF HIS ACCOMPLICES AS
WELL AS TO DOCUMENT SUPPOSED TIES BETWEEN SCHUBERT AND
FRG OFFICIALS. IN REPORTING JANUARY 27 THAT THE ZURICH
BASED " ARAMCO" ORGANIZATION HAS CHANGED ITS NAME TO
" MSB INTERNATIONAL", NEUES DEUTSCHLAND CLAIMED THAT THE
INFORMATION WAS PROVIDED TO THE COURT BY A PERSON "WHO
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WISHES TO DISTANCE HIMSELF FROM THE ANTI-HUMANISTIC
ACTIVITIES OF THIS GROUP AND ITS LEADER WHO WISHES
TO AVOID FUTURE CRIMES."

7. COMMENT: THE GDR PROBABLY DECIDED TO GO AHEAD WITH THE
SCHUBERT TRAIL AT THIS TIME IN A FURTHER ATTEMTP TO RECOUP
THE LOSSES IN IMAGE IT SUFFERED AS A RESULT OF THE FORCED
ADOPTION AFFAIR LAST DECEMBER WHEN CASES CAME TO LIGHT
IN WHICH THE GDR HAD PUT UP FOR ADOPTION THE CHILDREN
OF GDR CITIZENS WHO HAD FLED ILLEGALLY TO THE WEST. FROM
THE SCHUBERT CASE THE GDR PUBLIC IS TO LEARN THAT EXFILTRATION
IS CARRIED OUT BY CRIMINALS FOR MONEY AT THE BEHEST OF
OPPONENTS OF DETENT IN THE FRG AND LEADS TO THE WEAKENING
OF HEALTH CARE IN THE GDR, THEREBY THREATENING THE
AVERAGE GDR CITIZEN.THE IMPLICATION IS THAT

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HARD MEASURES ARE JUSTIFIED AGAINST SUCH ILLEGAL ACTIVITY
AND THAT IN TRYING TO PREVENT IT AND THE GDR ACTS IN THE
INTERESTS OF ITS OWN CITIZENS AND FOR DETENTE. SCHUBERT'S
15-YEAR ASENTENCE IS LIGHT GIVEN THE SEVERITY OF HIS
OFFENSES AND UNDOUBTEDLY MEANT AS A FURTHER SIGN OF
RELATIVE LENIENCY(REFTEL) AS THE GDR ATTEMPTS TO
COUNTER THE NEGATIVE PUBLICITY RECEIVED FROM THE FORCED
ADOPTION AFFAIR. ACCORDING TO STATISTICS RELEASED BY
THE " AUGUST 13 WORKING GROUP" IN WEST BERLIN JANUARY 26,
40,000 PERSONS HAVEBEEN SENTENCED TO PRISON IN THE GDR
FOR AIDING ESCAPEES OR ATTEMPTING TO ESCAPE SINCE THE
WALL WENT UP IN 1961. APPROXIMATELY 14,000 HAVE BEEN
RELEASED TO THE FRG BEFORE THEIR PRISON TERMS WERE UP.COOPER

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